



# PLANNING & ZONING COMMISSION

## AGENDA REQUEST

|  |  |                                     |  |
|--|--|-------------------------------------|--|
| <b>AGENDA OF:</b>  | 4/08/08  | <b>AGENDA REQUEST NO:</b>           | IV A                                       |
| <b>INITIATED BY:</b>   | RUTH LOHMER, AICP,<br>SENIOR PLANNER <i>RL</i>   | <b>RESPONSIBLE DEPARTMENT:</b>      | PLANNING                                   |
| <b>PRESENTED BY:</b>   | RUTH LOHMER, AICP,<br>SENIOR PLANNER   | <b>ASSISTANT PLANNING DIRECTOR:</b> | DOUGLAS P. SCHOMBURG<br>AICP <i>D.P.S.</i> |
|  |  | <b>ADDITIONAL APPROVAL:</b>         | N/A  |
| <b>SUBJECT / PROCEEDING:</b>   | REZONE 7.799 ACRES AT THE SOUTHWEST INTERSECTION OF UNIVERSITY BOULEVARD AND NEW TERRITORY BOULEVARD IN TELFAIR FROM INTERIM R-1 TO PLANNED DEVELOPMENT (PD) DISTRICT CONSIDERATION AND ACTION |                                     |  |
| <b>EXHIBITS:</b>   | STAFF REPORT, COMPARISON OF PD DISTRICT AND B-2 DISTRICT REQUIREMENTS, VICINITY MAP, AERIAL, TELFAIR GENERAL PLAN, PROPOSED GENERAL DEVELOPMENT PLAN, APPLICATION                              |                                     |  |
| <b>CLEARANCES</b>  |  | <b>APPROVAL</b>                     |  |
| <b>LEGAL:</b>  | N/A  | <b>DIRECTOR OF PLANNING:</b>        | SABINE SOMERS-KUENZEL<br>AICP <i>AK</i>    |
| <b>RECOMMENDED ACTION</b>  |  |                                     |  |
| Approval of the PD District with use list modifications as desired   |  |                                     |  |
| <b>EXECUTIVE SUMMARY</b>   |  |                                     |  |
| <p>This item is the first step of a two step PD zoning for 7.799 acres of land which will be Telfair Central, located at the southwest corner of the intersection of University Blvd and New Territory Blvd. The property consists of 5.123 acres for a museum site (Central State Farm building) to be developed by the City and 2.676 acres for a commercial site to be developed by Newland Communities. The property was annexed into the corporate limits of Sugar Land under Ordinance No. 1431 on July 1, 2004, with interim R-1 zoning applied to all of the Telfair property. The property includes the existing Central State Farm Prison building, which will house the Museum of Natural Sciences annex. The remaining portion of the property is currently vacant. The proposed PD zoning is in conformance with the revised General Plan for Telfair as approved by City Council on December 19, 2006.</p> <p>The Public Hearing for this item was held on March 27, 2008, and no members of the public spoke. Commission discussion included questions on several proposed uses. This item is before the Commission for consideration and action on the General Development Plan for the entire 7.799 acres. Additional information is included within the attached report.</p> |  |                                     |  |

File No. 9509

Cc: Jason Kelly, P.E., LJA Engineering & Surveying, Inc.  
[jkelly@ljaengineering.com](mailto:jkelly@ljaengineering.com)

Keith Behrens, P.E., NNP-Telfair, LP  
[kbehrens@newlandcommunities.com](mailto:kbehrens@newlandcommunities.com)

## EXHIBITS

### STAFF REPORT:

#### PD PROPOSAL INFORMATION

The proposed Planned Development (PD) District will contain a total of 7.799 acres, which includes 5.123 acres for a museum site (Central Farm Building) to be developed by the City and 2.676 acres for a commercial site to be developed by Newland Communities. The district will be created through a two-step process, which will consist of a General Development Plan to rezone the 7.799 acres from interim-R-1 to PD, followed by two individual Final Development Plans. The Final Development Plans are anticipated to be submitted at a future date by Newland and the City of Sugar Land and will contain all of the key details for development of each of the two sites.

Though they will be developed by two different parties, the two sites are intended to be integrated so that the buildings and uses complement one another. There will be sidewalks along the access easement between the sites, and there may be a crosswalk across the access easement to help customers in walking from one site to the other. It is the applicants' intention for the area to be pedestrian-friendly and easily traversed by foot. As such, the commercial site should include uses that complement the adjacent museum site, such as small eating places or coffee shops. It might also contain neighborhood services, such as dry cleaning pick-up/drop-off, and educational services.

The proposed General Development Plan includes regulations which will apply to both the museum site and the commercial site. The list of uses includes the uses for both sites. However, when the two final development plans are submitted, the use lists will be reduced to only include the uses that are appropriate for each of the sites. Specifically, the 5.123 acre site where the museum will be located will only include the following:

- SIC 84, Museums
- SIC 99, Parks and Recreation Facilities Only
- SIC 58, Eating and Drinking Places (Ancillary Use)

The remaining uses are those that are proposed for the commercial site. While some of these uses may not be appropriate as large-scale operations at this location, the size of the property (2.676 acres) will limit the size of the commercial businesses to be established there. The Commission should determine if any of the proposed uses are not well suited for either of the sites.

The City is working closely with Newland Communities to mitigate any traffic impacts caused by the development of the site. As part of the signed museum contract, the City and Newland will

each be financing the construction of dedicated turn lanes on University Blvd and New Territory Blvd.

Attached is a comparison of the proposed PD with existing B-2 (General Business) District regulations. The General Development Plan (attached), which will become the PD Ordinance, consists of several elements and exhibits including:

- Legal Description
- Allowed Land Use Table (SIC Code based)
- Special zoning conditions (as appropriate)
- Bulk and landscape standards for development

#### **COMPREHENSIVE/LAND USE PLAN APPLICATION:**

The Telfair General Plan Amendment No. 3 (approved December 19, 2006) indicates that the Telfair Central property will be a part of an area which was intended to be a civic area to include recreational facilities, a community center and related uses. The proposal for Telfair Central PD is in character with the intent of the General Plan.

#### **P&Z PUBLIC HEARING, DISCUSSION, AND DIRECTION**

The Planning and Zoning Commission held a public hearing on March 27, 2008; no members of the public spoke at the hearing. Following the public hearing, the Commission held a discussion regarding the proposed General Development Plan.

The Commission raised concerns about several of the proposed uses during the discussion. One concern was with permitting drinking places (SIC 5813) on the commercial site. Commissioners were uneasy with the use being so close to the museum, where children would often visit. If the Commission believes that this site is unsuitable for this use, staff recommends that drinking places be excluded from the PD, rather than attempting to minimize interaction through physical barriers. As previously stated, it is intended for the two sites to be well integrated, and the placement of landscaping or other physical barriers would inhibit this integration. If SIC 5813 is excluded from the PD, eating places will not be prevented from serving alcohol. The exclusion would only eliminate stand alone establishments which serve alcohol as their primary means of business.

The Commission also expressed concerns with allowing hotels and garden stores, due to the limited size of the commercial site. If the Commission does not believe this location is appropriate for these uses, staff recommends they be removed from the permitted uses list.

- SIC Code No. 7011 (Hotels)
- SIC Code No. 5261 (Garden Supply Stores)

Staff encourages the Commission to consider each proposed use listed in the General Development Plan and determine if it would be desirable on the 7.799 acre site. If there are any uses that the Commission does not believe would be appropriate, staff recommends removing them from the permitted uses list. It is better for the Commission to strike uses from the list at this point, rather than waiting until the individual Final Development Plans come forward. Any major issues with particular uses should be addressed at the General Development Plan stage. In approving the General Development Plan, the Commission is consenting to the development of the site as shown

on the conceptual plan and with the uses as shown for the entire tract. This initial approval grants the developer some certainty that the uses shown in the General Development Plan will be approved in the individual Final Development Plans.

**KEY POINTS FOR CONSIDERATION:**

The following is provided for Commission consideration:

- Telfair General Plan provides for PD District zoning for this site.
- Landscaping and bulk regulations meet or exceed B-2 District requirements, and definition of open space as excluding parking lots is more restrictive than current Development Code
- PD process will provide certainty for site layout of commercial and adjacent museum/civic uses at this location
- The Commission may exclude certain uses if the group believes the site is not well suited for them. The following uses have been discussed as possible concerns and can be excluded:
  - SIC Code No. 7011 (Hotels)
  - SIC Code No. 5261 (Garden Supply Stores)
  - SIC Code No. 5813 (Drinking Places)- not requiring food service
- The Commission may place specific conditions on uses in order to make them more compatible with the surrounding area

## **COMPARISION OF PD DISTRICT AND B-2 DISTRICT REQUIREMENTS:**

In terms of Land Development regulations, the Telfair Central PD is as restrictive or more restrictive than B-2 District regulations in each category.

### **Open Space for 7.799 Acres:**

#### ***PD District-***

Definition of “open space” that does not allow parking lots or other impermeable surfaces to count, and requires an overall 15% minimum for the acreage. This type of open space is where open space is essentially “green space” in a development.

#### ***B-2 District-***

Development Code defines open space any area not covered by building footprint. Impermeable surfaces count, and B-2 requires 15% of each lot to be clear of building footprints.

### **Landscaping and Buffering for 7.799 Acres:**

#### ***PD District-***

|                          |         |
|--------------------------|---------|
| New Territory Boulevard: | 30 feet |
| University Boulevard     | 40 feet |
| Private Access Easement: | 10 feet |

#### ***B-2 District-***

|                          |  |
|--------------------------|--|
| New Territory Boulevard: | 15 feet                                |
| University Boulevard     | 15 feet                                |
| Private Access Easement: | 6 feet typical (Not specified in code) |

### **Building Setbacks for 7.799 Acres:**

#### ***PD District-***

|                          |   |
|--------------------------|---|
| New Territory Boulevard: | 40 feet (attached General Development Plan contains error which states 30') |
| University Boulevard:    | 40 feet   |
| Private Access Easement: | 10 feet   |

#### ***B-2 District-***

|                          |         |
|--------------------------|---------|
| New Territory Boulevard: | 40 feet |
| University Boulevard:    | 40 feet |
| Private Access Easement: | 25 feet |

### **Outside Display \ Storage of Merchandise for 7.799 Acres:**

#### ***PD District-***

Prohibits outside display or storage of merchandise.

#### ***B-2 District-***

Allows display of merchandise outside for a period of 30 consecutive days or a maximum of 90 days within one calendar year.

**Parking Setbacks for 7.799 Acres:**

***PD District-***

|                                 |                |
|---------------------------------|----------------|
| <b>New Territory Boulevard:</b> | <b>30 feet</b> |
| <b>University Boulevard:</b>    | <b>40 feet</b> |
| <b>Private Access Easement:</b> | <b>10 feet</b> |

***B-2 District-***

|                                 |                |
|---------------------------------|----------------|
| <b>New Territory Boulevard:</b> | <b>25 feet</b> |
| <b>University Boulevard:</b>    | <b>25 feet</b> |
| <b>Private Access Easement:</b> | <b>10 feet</b> |

**Maximum Height for 7.799 Acres:**

***PD District-***

**Maximum height of 40 feet for new facilities, 50 feet for existing facilities (Central Farm Building).**

***B-2 District-***

**Maximum height of 100 feet.**

**Paving Requirements for 7.799 Acres:**

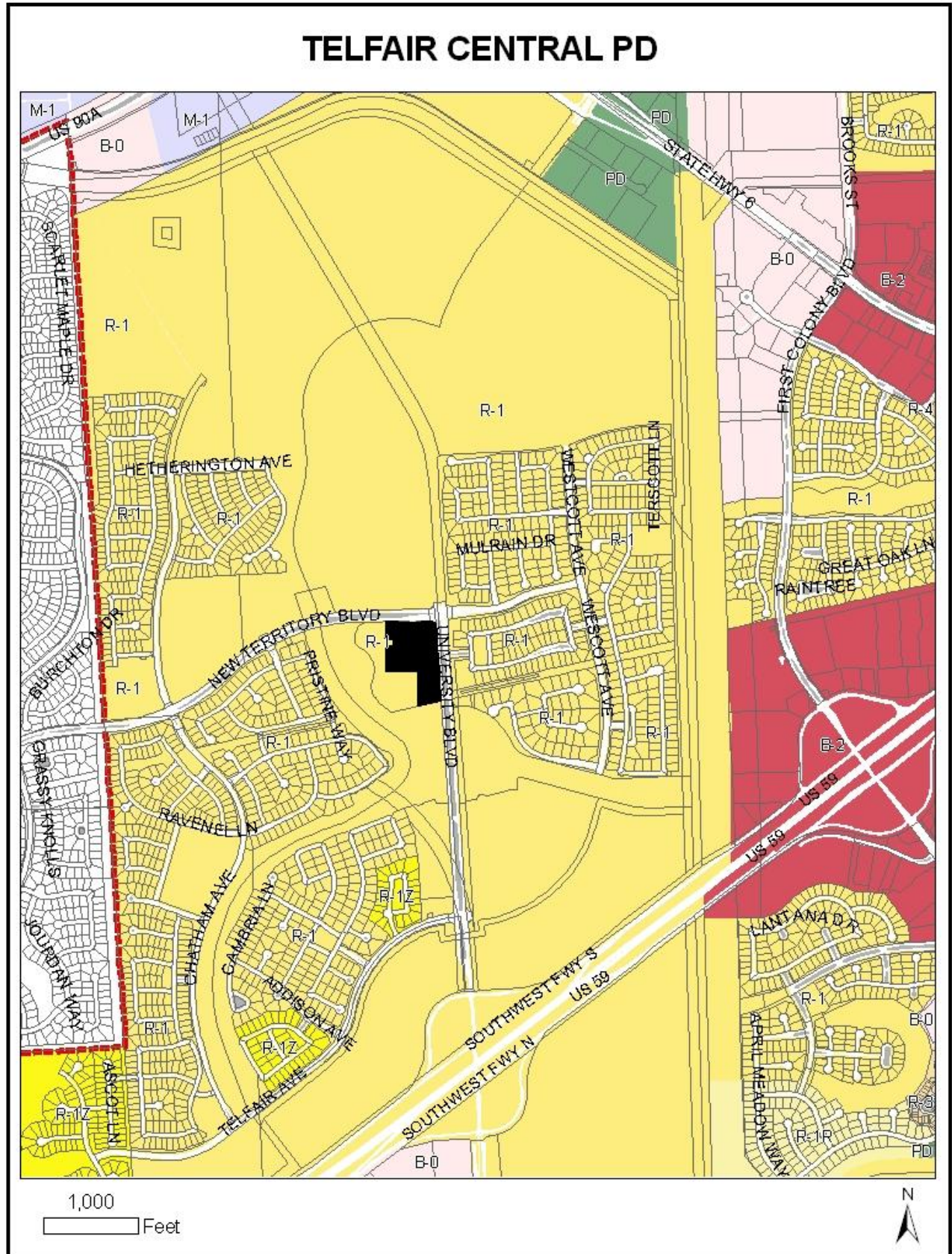
***PD District-***

- **Parking lots, driveways, and vehicle use areas shall be constructed of concrete.**
- **Driveways and private access easements shall be either concrete or interlocking pavers**

***B-2 District-***

**Parking lots, driveways, and vehicle use areas shall be constructed of either concrete or asphalt.**

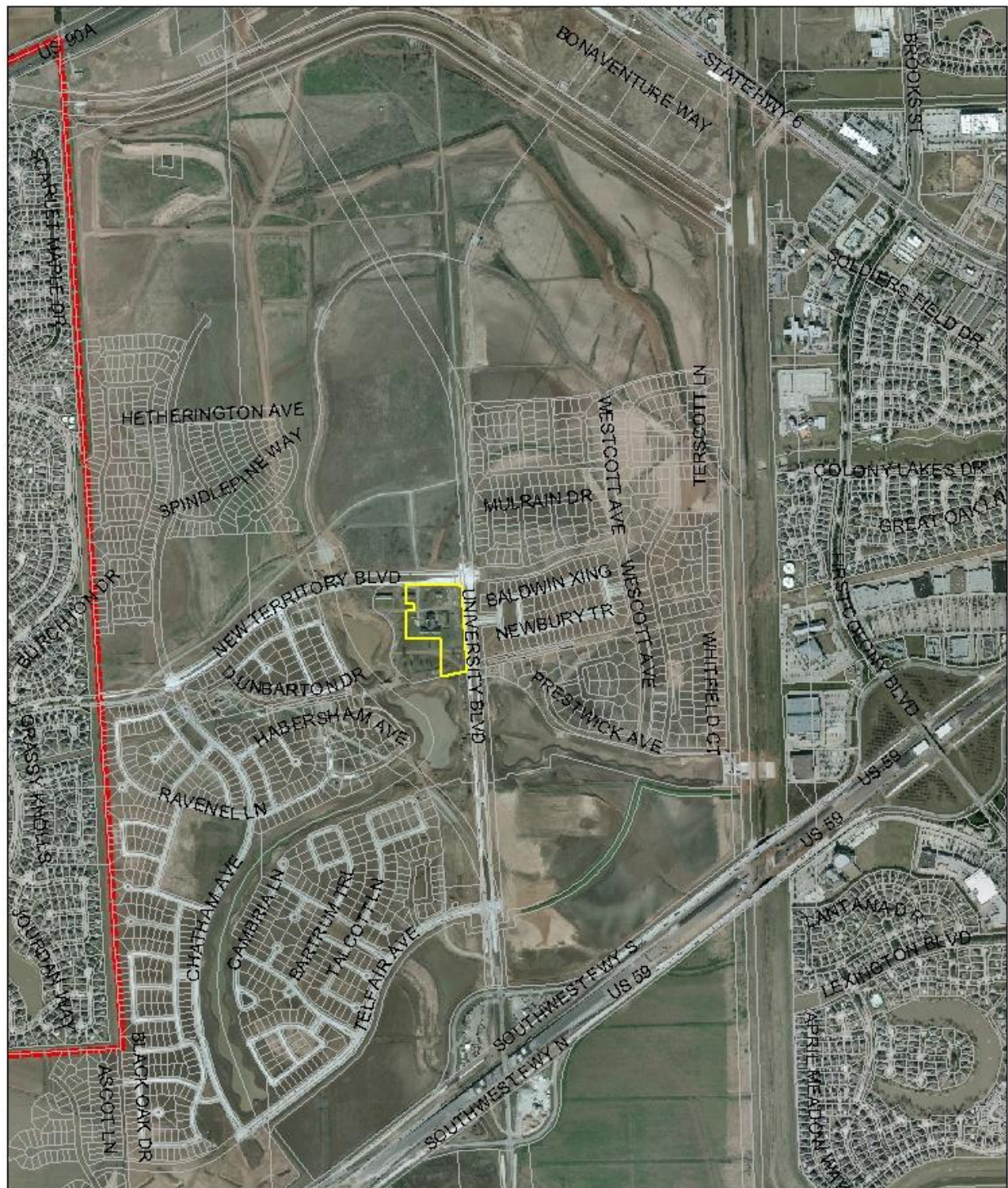


**VICINITY MAP:**



AERIAL:

## TELFAIR CENTRAL PD



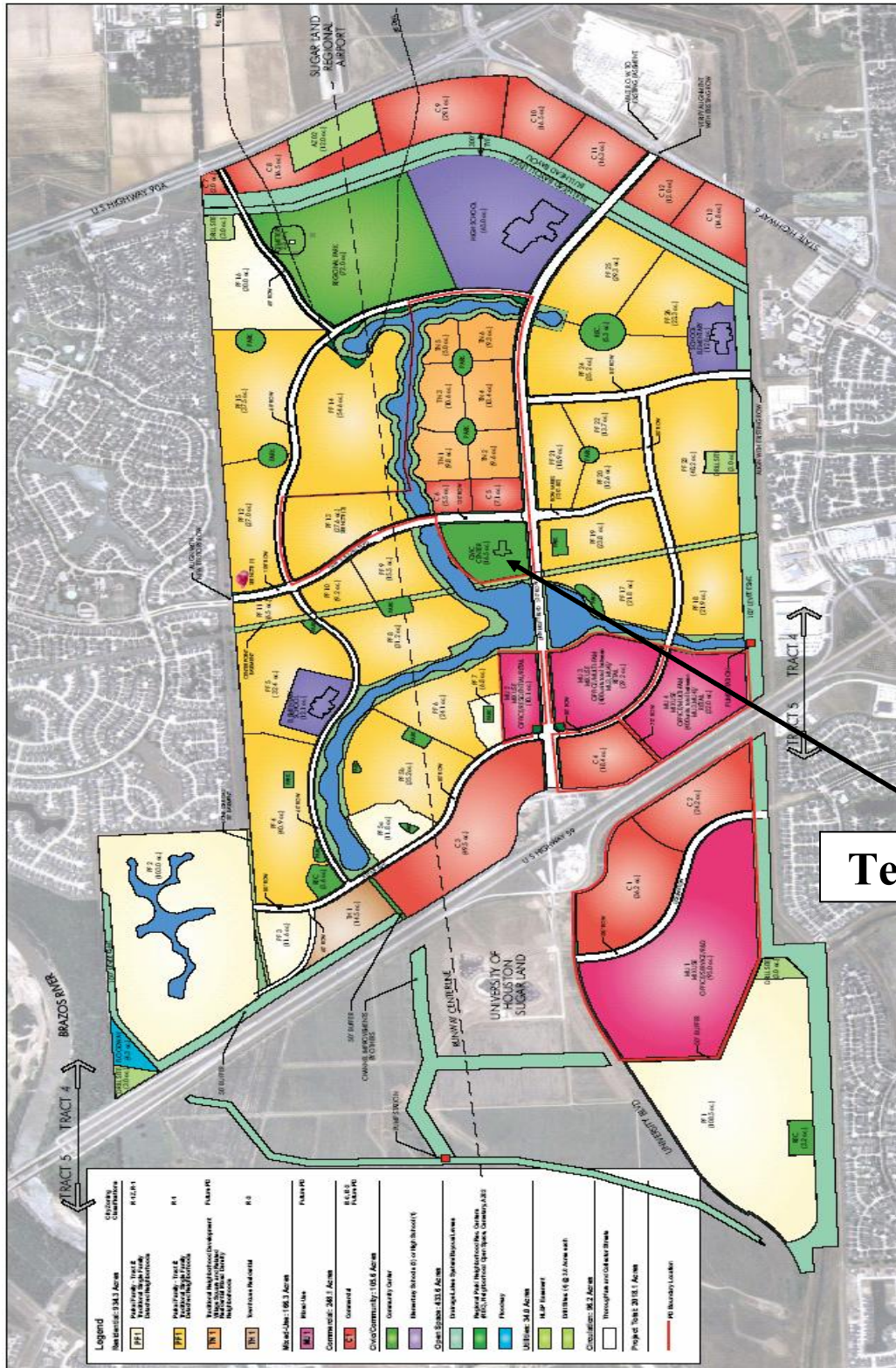
1,000

Feet





# APPROVED TELFAIR GENERAL PLAN (AMENDMENT NO. 3, APPROVED DECEMBER 19, 2006):



**Telfair Central**

**TELFAIR**  
LAND USE PLAN AMENDMENT 3  
OWNER: NEWLAND COMMUNITIES  
10035 W. LITTLE YORK, SUITE 260  
HOUSTON, TEXAS 77040

**DESIGN FIRM: TBC PARTNERS**  
10035 W. LITTLE YORK, SUITE 260  
HOUSTON, TEXAS 77040

**DATE:** July 30, 2003  
**REVISION:** Nov 09, 2006

**SCALE:** 1" = 800'

**VICINITY MAP**

GENERAL NOTES:  
 (1) The City of Sugar Land is not responsible for any errors or omissions in this plan.  
 (2) The City of Sugar Land is not responsible for any errors or omissions in this plan.  
 (3) The City of Sugar Land is not responsible for any errors or omissions in this plan.

## PROPOSED GENERAL DEVELOPMENT PLAN (DRAFT)

### GENERAL DEVELOPMENT PLAN (TELFAIR CENTRAL)

**A. Contents.** This general development plan contains the following parts:

- A. Contents
- B. General Provisions
- C. Land Uses
- D. Development Regulations
- E. Landscape & Pedestrian Circulation Regulations
- F. Additional Regulations

**B. General Provisions.**

1. The PD approved herein must be constructed, developed, and maintained in compliance with this ordinance and other applicable ordinances of the City. If any provision or regulation of any City ordinance applicable in a B-2 (General Business) zoning district is not contained in this ordinance, all the regulations contained in the Development Code applicable to the B-2 zoning district in effect on the effective date of this ordinance apply to this PD as though written herein, except to the extent the City regulation or provision conflicts with a provision of this ordinance.

2. *Except as otherwise provided herein, the words used in this final development plan have the meaning established by the Development Code. In this ordinance:*

*Museum* means Houston Museum of Natural Science at Sugar Land

*Open Space* means the portion of all land contained within the PD that is not covered by buildings, parking lots, driveways, improved pedestrian areas, or other impermeable material.

*PD* means the planned development district created by this ordinance.

*Pavers* means colored interlocking bricks, tiles, stones, blocks, or concrete units.

**C. Land Uses.**

1. Permitted land uses for all parcels are listed in Exhibit B-2. All other land uses are prohibited in these parcels.

**D. Development Regulations.**

1. *Maximum height of structures: All new facilities shall be no greater than 40 feet above ground level and existing facilities (Central Farm Building) shall be no greater than 50 feet.*

2. Minimum yards:

- |                                    |         |
|------------------------------------|---------|
| (a) Abutting New Territory Blvd:   | 30 feet |
| (b) Abutting University Boulevard: | 40 feet |
| (c) Abutting Access Easement:      | 10 feet |
| (d) All other:                     | 0 feet  |

3. Minimum Parking Lot Setbacks:

- |                                     |         |
|-------------------------------------|---------|
| (a) New Territory lot lines:        | 30 feet |
| (b) University Boulevard lot lines: | 40 feet |
| (c) Access Easement lot lines:      | 10 feet |
| (d) All other:                      | 0 feet  |

4. Paving:

- (a) All parking lots, driveways, and vehicle use areas shall be constructed of concrete.
- (b) All driveways and streets within individual building parcels must be paved with a concrete surface or interlocking pavers.

**E. Landscape & Pedestrian Circulation Regulations.**

1. Minimum landscape buffers, continuous along:

- |                           |              |
|---------------------------|--------------|
| (a) New Territory:        | 30 feet deep |
| (b) University Boulevard: | 40 feet deep |
| (c) Access Easement:      | 10 feet deep |
| (e) All other:            | 0 feet deep  |

2. Minimum Open Space: 15%.



3. Sidewalks:

- (a) Continuous sidewalks are required along all roadways, including access easements.

**G. Additional Regulations.**

- 1. Outside display of merchandise is not permitted.
- 2. Any existing structures within the landscape easement area shall remain as is.



**EXHIBIT A**  
**METES AND BOUNDS**

January 31, 2008  
Job No. 1800-0008A-001

DESCRIPTION OF  
7.799 ACRES

Being 7.799 acres of land located in the Alexander Hodge League, Abstract 32, Fort Bend County, Texas, more particularly being a portion of the residue of a called 1651.239 acre tract conveyed to NNP-Keepsake, L.P., by instrument of record under File No. 2003149525, Official Public Records, of said Fort Bend County (F.B.C.O.P.R.), said NNP-Keepsake, L.P. now known as NNP-Telfair LP, by instrument of record under File No. 2006007940, F.B.C.O.P.R., said 7.799 acres being more particularly described by metes and bounds as follows (all bearings referenced to the Texas State Plane Coordinate System, South Central Zone, NAD 83, 1993 adjustment);

BEGINNING at the intersection of the southerly line of that certain 80-foot wide utility easement of record under File No. 2004131587, F.B.C.O.P.R. with the west right-of-way line of University Boulevard Phase One, a subdivision of record in Plat No. 20060062, Plat Records, of said Fort Bend County (F.B.C.P.R.), also being on a northerly line of that certain called 87.328 acre tract conveyed to Fort Bend County Levee Improvement District No. 17 by instrument of record under File No. 2007031651, F.B.C.O.P.R.;

Thence, along the common line of said 80-foot wide utility easement and the northerly line of said 87.328 acre tract, South  $77^{\circ} 21' 33''$  West, 183.66 feet to a point for corner;

Thence, leaving said common line, North  $03^{\circ} 56' 06''$  West, 347.61 feet to a point for corner;

Thence, South  $88^{\circ} 33' 47''$  West, 244.85 feet to a point for corner;

Thence, North  $01^{\circ} 04' 56''$  West, 27.67 feet to a point for corner;

Thence, South  $89^{\circ} 04' 46''$  West, 109.42 feet to a point for corner;

Thence, North  $01^{\circ} 04' 56''$  West, 17.00 feet to a point for corner;

Page 1 of 4

7.799 acres

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Thence, North  $46^{\circ} 04' 56''$  West, 1.41 feet to a point for corner;

Thence, South  $88^{\circ} 55' 04''$  West, 10.07 feet to a point for corner;

Thence, North  $01^{\circ} 05' 17''$  West, 209.00 feet to a point for corner;

Thence, North  $88^{\circ} 55' 04''$  East, 75.01 feet to a point for corner;

Thence, North  $43^{\circ} 55' 04''$  East, 1.41 feet to a point for corner;

Thence, North  $01^{\circ} 04' 56''$  West, 62.62 feet to a point for corner;

Thence, South  $88^{\circ} 55' 03''$  West, 88.95 feet to a point for corner;

Thence, North  $01^{\circ} 04' 56''$  West, 219.69 feet to a point for corner, on the south right-of-way line of New Territory Boulevard – Telfair, a subdivision of record in Plat No. 20060061, F.B.C.P.R.;

Thence, along said south right-of-way line, the following six (6) courses;

- 1) North  $88^{\circ} 26' 05''$  East, 143.63 feet to a point for corner, the beginning of a curve;
- 2) 49.71 feet along the arc of a tangent curve to the right having a radius of 500.00 feet, a central angle of  $05^{\circ} 41' 48''$ , and a chord that bears South  $88^{\circ} 43' 01''$  East, 49.69 feet to a point for corner;
- 3) South  $85^{\circ} 52' 07''$  East, 50.99 feet to a point for corner, the beginning of a curve;

7.799 acres

January 31, 2008  
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- 4) 49.71 feet along the arc of a tangent curve to the left having a radius of 500.00 feet, a central angle of  $05^{\circ} 41' 48''$ , and a chord that bears South  $88^{\circ} 43' 01''$  East, 49.69 feet to a point for corner;
- 5) North  $88^{\circ} 26' 05''$  East, 58.32 feet to a point for corner, the beginning of a curve;
- 6) 89.40 feet along the arc of a tangent curve to the left having a radius of 2130.00 feet, a central angle of  $02^{\circ} 24' 17''$ , and a chord that bears North  $87^{\circ} 13' 56''$  East, 89.39 feet to a point for corner;

Thence, with a south right-of-way line of said Telfair Boulevard and a westerly right-of-way line of said University Boulevard, North  $86^{\circ} 01' 48''$  East, 43.12 feet to a point for corner;

Thence, along said west right-of-way line, the following four (4) courses;

- 1) 78.54 feet along the arc of a tangent curve to the right having a radius of 50.00 feet, a central angle of  $90^{\circ} 00' 00''$ , and a chord that bears South  $48^{\circ} 58' 12''$  East, 70.71 feet to a point for corner;
- 2) South  $03^{\circ} 58' 12''$  East, 259.43 feet to a point for corner, the beginning of a curve;
- 3) 17.00 feet along the arc of a tangent curve to the right having a radius of 5669.90 feet, a central angle of  $00^{\circ} 10' 18''$ , and a chord that bears South  $03^{\circ} 53' 03''$  East, 17.00 feet to a point for corner;



7.799 acres

January 31, 2008  
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- 4) South  $03^{\circ} 47' 54''$  East, 522.01 feet to the POINT OF BEGINNING and containing 7.799 acres of land.



LJA Engineering & Surveying, Inc.

*Keith W. Monroe*  
1-31-2008

CURVE TABLE

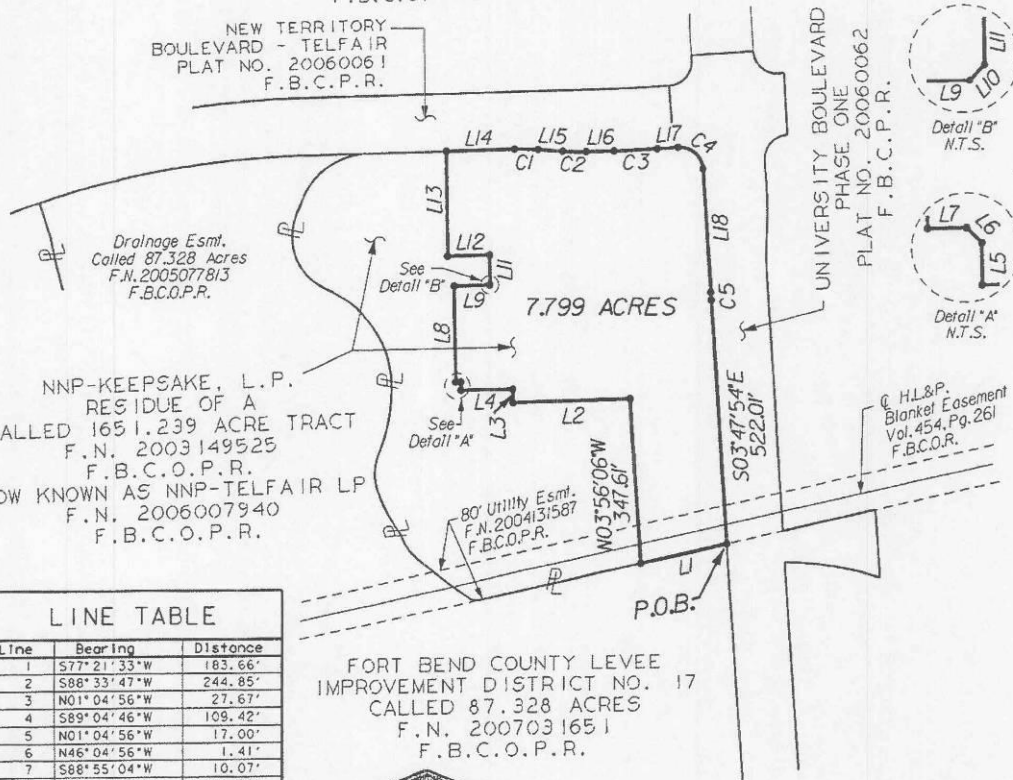
| Curve | Radius   | Tangent | Chord  | Arc    | Delta     | Chord Bearing |
|-------|----------|---------|--------|--------|-----------|---------------|
| 1     | 500.00'  | 24.88'  | 49.69' | 49.71' | 05°41'48" | S88°43'01"E   |
| 2     | 500.00'  | 24.88'  | 49.69' | 49.71' | 05°41'48" | S88°43'01"E   |
| 3     | 2130.00' | 44.70'  | 89.39' | 89.40' | 02°24'17" | N87°13'56"E   |
| 4     | 50.00'   | 50.00'  | 70.71' | 78.54' | 90°00'00" | S48°58'12"E   |
| 5     | 5669.90' | 8.50'   | 17.00' | 17.00' | 00°10'18" | S03°53'03"E   |



Scale: 1" = 300'

NNP-KEEPSAKE, L.P.  
RESIDUE OF A  
CALLED 1651.239 ACRE TRACT  
F.N. 2003149525  
F.B.C.O.P.R.  
NOW KNOWN AS NNP-TELFAIR LP  
F.N. 2006007940  
F.B.C.O.P.R.

NEW TERRITORY  
BOULEVARD - TELFAIR  
PLAT NO. 20060061  
F.B.C.P.R.



NNP-KEEPSAKE, L.P.  
RESIDUE OF A  
CALLED 1651.239 ACRE TRACT  
F.N. 2003149525  
F.B.C.O.P.R.  
NOW KNOWN AS NNP-TELFAIR LP  
F.N. 2006007940  
F.B.C.O.P.R.

LINE TABLE

| Line | Bearing     | Distance |
|------|-------------|----------|
| 1    | S77°21'33"W | 183.66'  |
| 2    | S88°33'47"W | 244.85'  |
| 3    | N01°04'56"W | 27.67'   |
| 4    | S89°04'46"W | 109.42'  |
| 5    | N01°04'56"W | 17.00'   |
| 6    | N46°04'56"W | 1.41'    |
| 7    | S88°55'04"W | 10.07'   |
| 8    | N01°05'17"W | 209.00'  |
| 9    | N88°55'04"E | 75.01'   |
| 10   | N43°55'03"E | 1.41'    |
| 11   | N01°04'56"W | 62.62'   |
| 12   | S88°55'03"W | 88.95'   |
| 13   | N01°04'56"W | 219.69'  |
| 14   | N88°26'05"E | 143.63'  |
| 15   | S85°52'07"E | 50.99'   |
| 16   | N88°26'05"E | 58.32'   |
| 17   | N86°01'48"E | 43.12'   |
| 18   | S03°58'12"E | 259.43'  |

FORT BEND COUNTY LEVEE  
IMPROVEMENT DISTRICT NO. 17  
CALLED 87.328 ACRES  
F.N. 2007031651  
F.B.C.O.P.R.



*Keith W. Monroe*  
1-31-2008

EXHIBIT OF  
7.799 ACRES  
LOCATED IN THE  
ALEXANDER HODGE LEAGUE, A-32  
FORT BEND COUNTY, TEXAS

JANUARY 2008 JOB NO. 1800-0008A-001

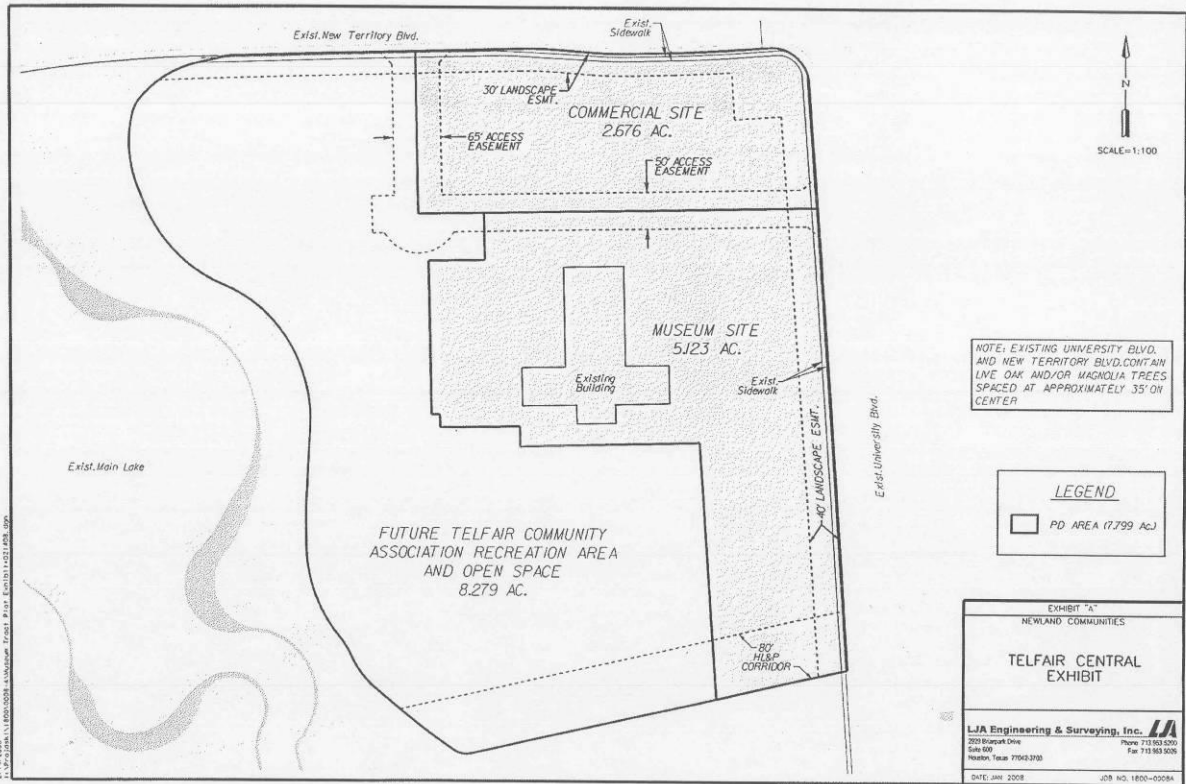
**LJA Engineering & Surveying, Inc.**  
2525 Briarpark Drive  
Suite 600  
Houston, Texas 77042-3703  
Phone 713.953.5200  
Fax 713.953.5026

NOTE:

All bearings referenced to the Texas  
State Plane Coordinate System, South  
Central Zone, NAD 83 (1993) adj.

I:\Proj\skl\survey\1800\0008A\Cad\Museum Tract PD 7\*799ac.dgn  
1/31/2008

**EXHIBIT B-1**  
**GENERAL SITE PLAN**





**EXHIBIT B-2**  
**PERMITTED USES**

| <u>USES</u>  | <u>SIC CODE</u> |
|--|-----------------|
| <b><u>RETAIL:</u></b>  |                 |
| Paint, Glass, and Wallpaper Stores   | 5231            |
| Garden Stores only   | 5261            |
| Variety Stores   | 5331            |
| Miscellaneous General Merchandise  | 5399            |
| Fruit and Vegetable Markets  | 5431            |
| Candy, Nut, and Confectionary Stores   | 5441            |
| Retail Bakeries  | 5461            |
| Apparel and Accessory Stores   | 56              |
| Home Furniture, Furnishings, and Equipment   | 57              |
| Eating and Drinking Places   | 58              |
| Miscellaneous Retail with exception of Group 598 Fuel Dealers<br>and 5921 Liquor Stores          | 59              |
| <b><u>FINANCE, INSURANCE, AND REAL ESTATE:</u></b>   |                 |
| Depository Institutions with exception of 6099 Check Cashing Agencies                            | 60              |
| Non-depository Credit Institutions   | 61              |
| Security and Commodity Brokers, Dealers, Exchanges, Services                                     | 62              |
| Insurance Carriers   | 63              |
| Insurance Agents, Brokers, and Service   | 64              |
| Real Estate  | 65              |
| Holding and Other Investment Offices   | 67              |
| <b><u>SERVICES:</u></b>  |                 |
| Hotels only  | 7011            |
| Garment Pressing, and Agents for Laundries and Drycleaners<br>(pressing and pickup-dropoff only) | 7212            |
| Photographic Studios, Portrait   | 7221            |
| Beauty Shop  | 7231            |
| Barber Shop  | 7241            |
| Shoe Repair Shop and Shoeshine Parlors   | 7251            |
| Tax Return Preparation   | 7291            |
| Miscellaneous Personal Services, N.E.C.  | 7299            |

**EXHIBIT B-2 (cont'd)**

**PERMITTED USES**

**USES**

**SIC CODE**

**SERVICES (cont'd):**

|  |           |
|--|-----------|
| Business Services with exception of the following:   | 73        |
| -7342 Disinfecting and Pest Control  |           |
| -7349 Building Cleaning and Maintenance  |           |
| -7352 Medical Equipment Rental   |           |
| -7353 Heavy Construction Equipment and Leasing   |           |
| -7359 Equipment Rental and Leasing N.E.C. (Only allow the following: Party Supplies, dishes, silverware, tables, televisions, and video/cd equipment rental and leasing) |           |
| -7381 Detective and Armored Car Services   |           |
| Watch, Clock, and Jewelry Repair   | 7631      |
| Dance Studios and Schools except dance halls   | 7911      |
| Offices and Clinics of Doctors, Dentists, Chiropractors, Optometrists, Podiatrists   | 8011-8043 |
| Legal Services   | 81        |
| Schools and Educational Services   | 8299      |
| Child Day Care Services  | 8351      |
| Museums  | 84        |
| Engineer, Accounting, Research, Management, and Related Services with exception of 8744 Correctional Facilities and Jails  | 87        |
| Civic and Social Organizations   | 8641      |
| Services, N.E.C.   | 89        |
| Parks and Recreation Facilities only   | 99        |

**APPLICATION:**



RECEIVED  
FEB 18 2008  
PLANNING

**CURRENT PLANNING DIVISION  
CONDITIONAL USE PERMIT OR REZONING APPLICATION**

*Please type or print the following information & Return your submittal to the Development Services Department (Current Planning Division), 2700 Town Center Blvd. North, Sugar Land, TX 77479, Attention: Gretchen Pyle*

**Applicant**

**Contact** LJA Engineering & Surveying, Inc. Attention: Jason M. Kelly, P.E.  
**Address** 2929 Briarpark Drive, Suite 600, Houston, TX 77042  
**Phone** (713) 953-5064 **Fax** (713) 953-5026  
**Email** jkelly@ljaengineering.com

**Owner**

**Contact** NNP-Telfair, LP Attention: Keith Behrens, P.E.  
**Address** 10235 West Little York, Suite 300, Houston, TX 77040  
**Phone** (713) 575-9000 **Fax** (713) 575-9001  
**Email** kbehrens@newlandcommunities.com

**Property Legal Description** \_\_\_\_\_ **See Attached** X

**Lot** \_\_\_\_\_ **Block** \_\_\_\_\_ **Subdivision** Telfair Central

**Current Zoning District** Temporary R-1 **Proposed Zoning District, if applicable** PD

**If this is a CUP application:** ☐ new building ☐ existing building

**Proposed Use (CUP only)** \_\_\_\_\_

This is to certify that the information on this form is COMPLETE, TRUE, and CORRECT and the undersigned is authorized to make this application. **This application expires six months from the date stamped as received by the Planning Department if no action has been taken by the Planning and Zoning Commission on this request.**

X \_\_\_\_\_ 2/15/08  
**Signature of Applicant** **Date**

**Submittal Requirements (Submittal Deadline is Monday at 3:00 p.m.):**

- ☒ Three (3) copies of the completed application
- ☒ Check for \$1,000.00 (non-refundable) \$400 if CUP is in MUC District
- ☒ Metes and bounds of the site and county slide number of plat, if recorded
- ☐ Two (2) 24" x 36" blue-line copies and two (2) 11" x 17" copies of the CUP layout plan or the property to be rezoned, including a vicinity map and north arrow on each copy
- ☒ Two (2) copies of a letter stating the applicant's request and addressing issues relating to a CUP including traffic circulation, parking, plan of operation, and other pertinent information
- ☐ Names and mailing addresses of all property owners and tenants within 200 feet of site, including owner and applicant

**Please note: A courtesy notification sign will be placed on the subject property during the public hearing process and will be removed when the case has been processed.**